

1 PAUL CALEO (SBN 153925)  
pcaleo@grsm.com

2 OSMAAN KHAN (SBN 331766)  
oakhan@grsm.com

3 **GORDON REES SCULLY MANSUKHANI, LLP**

1111 Broadway, Suite 1700

Oakland, CA 94607

Telephone: (510) 463-8600

Facsimile: (510) 984-1721

6 *Attorneys for Defendant*

ROWELL RANCH RODEO INC.

8 **UNITED STATES DISTRICT COURT**

9 **NORTHERN DISTRICT OF CALIFORNIA**

11 JOSEPH P. CUVIELLO and DENIZ  
12 BOLBOL, individually,

13 Plaintiffs,

14 v.

15 ROWELL RANCH RODEO, INC.;  
16 HAYWARD AREA RECREATION AND  
17 PARK DISTRICT; HAYWARD AREA  
18 RECREATION AND PARK DISTRICT  
19 PUBLIC SAFETY MANAGER/RANGER  
20 KEVIN HART; and DOES 1 through 2, in  
their individual and official capacities,  
jointly and severally.

Defendants.

Case No.: 3:23-CV-01652

**DECLARATION OF PAUL MARTIN IN  
SUPPORT OF OPPOSITION TO  
PLAINTIFF DENIZ BOLBOL'S  
MOTION FOR SANCTIONS AGAINST  
DEFENDANT ROWELL RANCH  
RODEO, INC.**

21 I, Paul Martin, declare as follows:

22 1. I am Board Member at Rowell Ranch Rodeo, Inc. ("RRR"), with  
23 responsibilities for oversight and supervision of general operations and the volunteers,  
24 and to assist, correspond, and coordinate with counsel. All Board Members are volunteers  
25 and are not paid.

26 2. I became a Board Member at RRR on December 1, 2022.

27 3. On, or around, July 24, 2023, RRR was served with Plaintiff Deniz  
28 Bolbol's Interrogatories, Set One to Defendant RRR.

Gordon & Rees LLP  
111 W. Monroe Street Suite 1600  
Phoenix, AZ 85003

1           4.       Plaintiff Deniz Bolbol's Interrogatory No. 22 stated: "*DESCRIBE the*  
2 *telephone conversation between DOE DEFENDANT 1 and law enforcement on May 20,*  
3 *2022, as referenced in paragraph 98 of the Complaint, including the number dialed, the*  
4 *agency contacted and all details of the call.*"

5           5.       Plaintiff Deniz Bolbol's Interrogatory No. 23 asked: "*IDENTIFY the name*  
6 *of the person whom DOE DEFENDANT 1 spoke during the telephone call referenced in*  
7 *paragraph 41 of the Complaint and Interrogatory No. 8 above.*"

8           6.       I contacted Gary Houts about the telephone conversation referenced in  
9 Interrogatories Nos. 22 and 23. He informed me that he did not recall who he had spoken  
10 to in that telephone call. I discussed the telephone conversation with him, along with  
11 custom of volunteers at RRR. The custom these circumstances was to call the "Site  
12 Boss." I also discussed the phone call with Site Boss, Brian Morrison.

13           7.       Based on the information reasonably available, as well as the custom of  
14 volunteers that worked for RRR, I assisted the then Counsel with responses to  
15 Interrogatories Nos. 22 and 23.

16           8.       On August 20, 2023, RRR served a verified response to Plaintiff Deniz  
17 Bolbol's Interrogatories, Set One. The responses were verified by Russel Fields, Board  
18 Member of RRR.

19           9.       The Response to Interrogatory No. 22 stated: "*Responding party does not*  
20 *understand that DOE 1, (Gary Houts) called the Alameda County Sheriff as alleged.*  
21 *Instead he called Brian Morrison (Site Boss).*"

22           10.      The Response to Interrogatory No. 23 stated: "*Brian Morrison, who can be*  
23 *reached through the Responding party's counsel.*"

24           11.      Plaintiff Bolbol served Interrogatories Set Two, Requests for Production  
25 Set Two, and Request for Admissions Set One, on November 22, 2023. The  
26 interrogatories and requests primarily concerned the phone call made by Gary Houts, on  
27 May 20, 2022.

28           12.      On December 18, 2023, RRR agreed to provide Gary Houts' phone number

1 to the Counsel for Defendant Alameda County Sheriff's Office ("ACSO") in order to  
2 help them retrieve and find any corresponding phone calls to law enforcement.


3 13. On December 21, 2023, ACSO served an event register and a link to a  
4 recording of the May 20, 2022 phone by Gary Houts.

5 14. I reached out to Gary Houts and Brian Morrison to provide me with their  
6 phone records, as the Plaintiff Bolbol's Requests for Production Set Two.

7 15. Based on this *newly acquired and discovered* information, on January 5,  
8 2024, RRR responded to Plaintiff Bolbol's Interrogatories Set 2, Requests for Production  
9 Set 2, and Requests for Admission Set 1.

10  
11 I declare under penalty of perjury under the laws of the United States of  
12 America that the foregoing is true and correct.

13 Executed on February 28, 2024.

14   
15  
16 Paul Martin

Gordon & Rees LLP  
111 W. Monroe Street Suite 1600  
Phoenix, AZ 85003



**PROOF OF SERVICE**

*Cuviello, et al. v. Rowell Ranch Rodeo Inc., et al.*  
 USDC - Northern District of California, Case No. 3:23-CV-01652

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is: Gordon Rees Scully Mansukhani, LLP 275 Battery Street, Suite 2000 San Francisco, CA 94111. On the date set forth below, I served the within documents:

**DECLARATION OF PAUL MARTIN IN SUPPORT OF DEFENDANT ROWELL RANCH RODEO INC.'S OPPOSITION TO PLAINTIFF DENIZ BOLBOL'S MOTION FOR SANCTIONS**

☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.

☒ **VIA E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of the document(s) to be sent by electronically mailing a true and correct copy through the Gordon Rees Scully Mansukhani, LLP electronic mail system from my email address: khernandez@grsm.com, to the email address(s) set forth herein.

☐ by having Nationwide PERSONALLY DELIVER the document(s) listed above to the person(s) at the address(es) set forth below.

☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in United States mail in the State of California at San Francisco, addressed as set forth below.

☐ by placing a true copy thereof enclosed in a sealed envelope, at a station designated for collection and processing of envelopes and packages for overnight delivery by FEDEX as part of the ordinary business practices of Gordon Rees Scully Mansukhani, LLP described below, addressed as follows:

Attorneys for Plaintiff <b>DENIZ BOLBOL</b>  Lily Rivo, Esq. <b>GREENFIRE LAW, PC</b> 2748 Adeline Street, Suite A Berkeley, CA 94703 Tel: (510) 900-9502 Fax: (510) 900-9502 Email: <a href="mailto:lrivo@greenfirelaw.com">lrivo@greenfirelaw.com</a> <a href="mailto:jblome@greenfirelaw.com">jblome@greenfirelaw.com</a>	Plaintiff In Pro Per  Joseph P. Cuviello 205 De Anza Blvd. San Mateo, CA 94402  P.O. Box 2834 Redwood City, CA 94064 Tel: (650) 315-3776 Fax: Email: <a href="mailto:pcuvie@gmail.com">pcuvie@gmail.com</a>
Attorneys for Defendants <b>COUNTY OF ALAMEDA; ALAMEDA COUNTY DEPUTY SHERIFF'S OFFICE; and JOSHUA MAYFIELD</b>  William B. Rowell, Esq. Thiele R. Dunaway, Esq. Marc Brainich, Esq. Michele C. Kirrane, Esq. <b>FENNEMORE WENDEL</b> 1111 Broadway, 24 <sup>th</sup> Floor	Attorneys for Defendants <b>HAYWARD AREA RECREATION AND PARK DISTRICT, and KEVIN HART</b>  Dale L. Allen, Jr., Esq. Nicholas D. Syren, Esq. <b>ALLEN, GLAESSNER, HAZELWOOD &amp; WERTH, LLP</b> 180 Montgomery Street, Suite 1200 San Francisco, CA 94104

<p>Oakland, CA 94607  Tel: (510) 834-6600  Fax: (510) 834-1928  Email: <a href="mailto:browell@fennemorelaw.com">browell@fennemorelaw.com</a>  <a href="mailto:rdunaway@fennemorelaw.com">rdunaway@fennemorelaw.com</a>  <a href="mailto:mbrainich@fennemorelaw.com">mbrainich@fennemorelaw.com</a>  <a href="mailto:mkirrane@fennemorelaw.com">mkirrane@fennemorelaw.com</a>  <a href="mailto:lmason@fennemorelaw.com">lmason@fennemorelaw.com</a></p>	<p>Tel: (415) 697-2000  Fax: (415) 813-2045  Email: <a href="mailto:dallen@aghwlaw.com">dallen@aghwlaw.com</a>  <a href="mailto:erodas@aghwlaw.com">erodas@aghwlaw.com</a>  <a href="mailto:mhernandez@aghwlaw.com">mhernandez@aghwlaw.com</a>  <a href="mailto:dallen@aghwlaw.com">dallen@aghwlaw.com</a>  <a href="mailto:kallen@aghwlaw.com">kallen@aghwlaw.com</a>  <a href="mailto:erodas@aghwlaw.com">erodas@aghwlaw.com</a>  <a href="mailto:nsyren@aghwlaw.com">nsyren@aghwlaw.com</a></p>
---	--

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on February 29, 2024 at San Francisco, California.

  
Kristie Hernandez

Gordon Rees Scully Mansukhani, LLP  
1111 Broadway, Suite 1700  
Oakland, CA 94607